IN THE HIGH COURT OF JUDICATURE OF BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO.387 OF 2006

Sohanlal Fusaram Oswal. ..Appellant.

V/s.

Fazlur Rahman Abdul Rahman & Ors..Respondents.

Mr.Jayesh B. Kocheta for appellant.

CORAM: A.M.KHANWILKAR,J

DATE : JUNE 21, 2006.

P.C. :

1. The grievance of the appellant can be resolved if the appellant were to move the trial court for recall or modification of the impugned order as according to him the property attached is owned and possessed by him and that he has no causal connection with the dispute pending against the defendant before the court. For the said reason, the attachment cannot be continued. Accordingly, this appeal is disposed of with liberty to take out appropriate application before the trial court, if so advised, as that court is in seisin of the matter and the relevant record regarding the property in question has already been produced before it by the respondent/plaintiff. Disposed of on the above terms. All questions are left open.